

STEVE SISOLAK
Governor

STATE OF NEVADA

TERRY J. REYNOLDS
Director



**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF THE DIRECTOR**

**WORKSHOP NOTICE FOR TEMPORARY REGULATION
AND AGENDA**

**WORKSHOP TO ADDRESS THE IMPACT OF THE
PROPOSED TEMPORARY REGULATION ON NRS 231A NEW
MARKETS JOBS ACT.**

The Department of Business and Industry (B&I) will hold a Workshop to solicit public comment on the proposed temporary regulations to administer the Nevada New Markets Jobs Act. This notice is provided in compliance with NRS 241.020 and 233B.061.

Name of Organizations: Department of Business and Industry

Date and Time of Meeting: Thursday July 2, 2020, 11:00 A.M.

Place of Meeting: This meeting will be held via videoconference and teleconference only. Pursuant to Governor Sisolak's March 22, 2020 Declaration of Emergency Directive 006, requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended in order to mitigate the possible exposure or transmission of COVID-19 (Corona Virus). Accordingly, anybody planning to participate in the meeting must participate by using the following videoconference link or teleconference number:

Video Conference Meeting Information

Meeting link: <https://businessnv.webex.com/businessnv/j.php?MTID=ma985987e0d6acf7925e19d6974c6977b>

Meeting number: 960 148 224

Password: BusinessNMJA

Teleconference number

1-844-992-4726 United States Toll Free

Access code: 960 148 224

Agenda

- I. Call to order and welcome – Terry Reynolds, Director, Department of Business and Industry.
- II. Public Comment – may limit public comment to 3 minutes per speaker.
- III. Workshop to consider the temporary regulation to administer the Nevada New Markets Jobs Act.
- IV. Review of the proposed temporary regulation.
- V. Report on written comments received.
- VI. Public Comment – may limit public comment to 3 minutes per speaker.
- VII. *Adjournment – (For Possible Action)

*Items with an asterisk indicate items for possible action

Agenda items may be taken out of order. Two or more agenda items may be combined for consideration. An item may be removed or discussion on an item may be delayed at any time.

To obtain a copy of the supporting documents, email Karen Schnog at kschnog@business.nv.gov or call (702) 486-3755. Copies of pertinent documents will also be made available on the B&I web site at: www.business.nv.gov.

Written comments must be received by the Department of Business and Industry on or before June 29, 2020 at the email address: kschnog@business.nv.gov

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Department of Business by calling Karen Schnog at (702) 486-3755, at least 72 hours prior to the meeting date and time.

This agenda of the Department of Business and Industry has been sent to all persons on the agency's mailing list for administrative regulations and posted to:

Nevada Public Notice website: www.notice.nv.gov

Department of Business & Industry website: www.business.nv.gov

**TEMPORARY REGULATION OF THE
DIRECTOR OF THE DEPARTMENT OF
BUSINESS AND INDUSTRY**

May 28, 2020

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY:§1 NRS 231A.150.

A TEMPORARY REGULATION revising provisions of the Nevada New Markets Jobs Act to facilitate the creation of a Qualified Low-Income Community Investment by allowing a capital, equity investment or loan to be made directly or indirectly to a Qualified Low-Income Community Business and providing other matters properly relating thereto.

- Section 1.** *1. For the purposes of NRS 231A.140, a capital or equity investment or loan may be made directly or indirectly to a qualified active low-income community business through one or more special purpose entity.*
- 2. A special purpose entity may not pay any fees in connection with any activity associated with the qualified low-income community investment.*
- 3. For the purposes of this section, a “special purpose entity” means an entity created solely for the purpose to make or otherwise facilitate qualified low-income community investments in a qualified active low-income community business.*
- Sec. 2. This regulation applies retroactively to a qualified low-income community investment made on or before the effective date of this regulation.*

Informational Statement for the Proposed Temporary Regulation to the Nevada New Markets Jobs Act

Explanation of the need for the proposed temporary regulation.

The New Markets Jobs Act (NRS321A) addresses the critical need for access to capital for Nevada businesses in low-income areas by providing below market rate loans. This temporary regulation delineates the administrative requirements of NRS 231A New Markets Job Act. It allows the equity investment or loan to be made indirectly to a qualified active low-income community business through one or more special purpose entities.

The estimated economic effect of the proposed regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

1. The estimated economic effect of the regulation on the businesses, which it is to regulate:
 - a. Adverse effect:
 - i. Immediate effect - No adverse effect due to the promulgation of this temporary regulation.
 - ii. Long-term effect - No adverse effect due to the promulgation of this temporary regulation.
 - b. Beneficial effect:
 - i. Immediate effect – Qualified Active Low-Income Community Businesses will be able to access below market rate loans. These loans will help them expand their business.
 - ii. Long-term effect – Qualified Active Low-Income Community Businesses will have below market rate loans to provide operating capital to grow and expand their businesses. They will be able to hire more employees.
2. The estimated economic effect of the regulation on the public:
 - a. Adverse effect:
 - i. Immediate effect - No adverse effect due to the promulgation of this temporary regulation.
 - ii. Long-term effect - No adverse effect due to the promulgation of this temporary regulation.
 - b. Beneficial effect:
 - i. Immediate effect – The public may become aware of low-interest loans for businesses in low-income areas and notice businesses are investing new operating capital to expand and grow.
 - ii. Long-term effect – With Qualified Active Low-Income Community Businesses having below market rate loans to help them grow and expand, the public will likely notice businesses are growing and more people are working.

The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this temporary regulation.

A description of any regulations of other state or government agencies of which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations that the proposed amendments duplicate.

Does the regulation include provisions that are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

N/A

Does the regulation provide a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

N/A